

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SMITH Examiner: Unknown  
Serial No.: 10/535,712 Group Art Unit: Unknown  
Filed: May 20, 2005 Docket: 14638.0005USWO  
Title: FLUID FLOW ACTUATED DRIVE MEANS



**CERTIFICATE UNDER 37 CFR 1.8:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 on August 16, 2005.

By: *Casey Caron*  
Name: Casey Caron

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450



Sir:

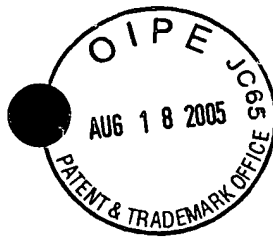
We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 6 Reference(s)
- ☒ Other: International Search Report mailed February 9, 2004, Form PCT/IPEA/416, Form PCT/IPEA/409, Form PCT/IPEA/402, Form PCT/IPEA/408, Form PCT/RO/105, Form PCT/IB/332, Form PCT/IB/308
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
612.332.5300

By: *Brian H. Batzli*  
Name: Brian H. Batzli  
Reg. No.: 32,960  
BHB/cjc



S/N 10/535,712

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|             |                                 |                 |                |
|-------------|---------------------------------|-----------------|----------------|
| Applicant:  | SMITH                           | Examiner:       | Unknown        |
| Serial No.: | 10/535,712                      | Group Art Unit: | Unknown        |
| Filed:      | May 20, 2005                    | Docket No.:     | 14638.0005USWO |
| Title:      | FLUID FLOW ACTUATED DRIVE MEANS |                 |                |

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop PCT, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 August 16, 2005.

By:

Name: Casey Caron

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Enclosed for the Examiner's information is a copy of the International Search Report. At least some of the references were recently cited in an International Search Report mailed February 9, 2004.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. § 1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. § 1.98(a)(3)):

Applicant hereby brings attention to the Examiner that the references listed were cited in an International Search Report dated February 9, 2004. A copy of the International Search Report is enclosed. Since the International Search Report is in English, no English translation of DE 891,165, DE 2,255,075 or FR 1 604 701 foreign references are required, pursuant to MPEP §609(A)3. Also, only the English abstract of reference JP 59110801 has been sent as cited in the International Search report.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

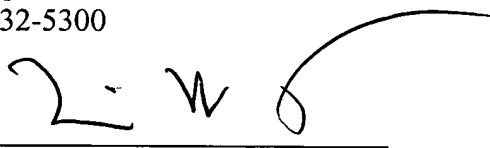
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

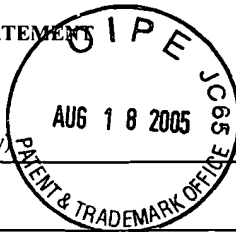
Dated: August 16, 2005

By   
Brian H. Batzli  
Reg. No. 32,960

BHB/cjc



|   |                                  |                                   |
|---|----------------------------------|-----------------------------------|
| <b>FORM 1449*</b><br><b>INFORMATION DISCLOSURE STATEMENT</b><br><br><b>IN AN APPLICATION</b><br>(Use several sheets if necessary) | Docket Number:<br>14638.0005USWO | Application Number:<br>10/535,712 |
|   | Applicant: SMITH                 |                                   |
|   | Filing Date: May 20, 2005        | Group Art Unit: Unknown           |



| U.S. PATENT DOCUMENTS |              |        |         |       |          |                               |
|-----------------------|--------------|--------|---------|-------|----------|-------------------------------|
| EXAMINER<br>INITIAL   | DOCUMENT NO. | DATE   | NAME    | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|                       | US 3,737,248 | 4/1973 | Abraham |       |          |                               |
|                       | US 1,504,520 | 4/1922 | Seidel  |       |          |                               |
|                       | US 3,690,784 | 9/1972 | Farrow  |       |          |                               |
|                       |              |        |         |       |          |                               |
|                       |              |        |         |       |          |                               |
|                       |              |        |         |       |          |                               |
|                       |              |        |         |       |          |                               |
|                       |              |        |         |       |          |                               |

| FOREIGN PATENT DOCUMENTS |              |        |           |       |          |             |    |
|--------------------------|--------------|--------|-----------|-------|----------|-------------|----|
|                          | DOCUMENT NO. | DATE   | COUNTRY   | CLASS | SUBCLASS | TRANSLATION |    |
|                          |              |        |           |       |          | YES         | NO |
|                          | JP 59110801  | 6/1984 | Japan     |       |          | Abstract    |    |
|                          | EP 0 372 135 | 6/1990 | Europe    |       |          |             |    |
|                          | DE 891 165   | 7/1949 | Germany   |       |          | See IDS     |    |
|                          | DE 2 255 075 | 5/1974 | Germany   |       |          | See IDS     |    |
|                          | AU 506,745   | 6/1979 | Australia |       |          |             |    |
|                          | FR 1.604.701 | 1/1972 | France    |       |          | See IDS     |    |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) |  |  |
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PATENT TRADEMARK OFFICE

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|---|-----------------|
| EXAMINER  | DATE CONSIDERED |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant. |                 |